expedite a stock shipment by special fast stock trains, which privilege was not ordinarily accorded other shippers. *Clegg* v. *St. L., etc., Ry.*, 203 Fed. 971. A discrimination in rates in favor of coal shipped for the use of a railway transporting it was held to be a violation of the act. *Interstate Commerce Commission* v. *B. & O. Ry.*, 225 U. S. 326. The broad purpose of the COMMERCE ACT, to compel the establishment of reasonable rates and uniform application, would be defeated by sanctioning special contracts giving special privileges to particular shippers; and to guarantee a reduced rate, a particular connection, transportation by a special train, or special stoppage privileges, amounts to the giving of a preference, where such privileges are not open to all and are not provided for in the published tariffs. On the other hand, it has been held that the INTERSTATE COMMERCE ACT does not attempt to equalize fortune, opportunities, or abilities; it contemplates payment of reasonable compensation by carriers for services rendered and for instrumentalities furnished by owners of the property transported. Accordingly it has been held that contracts made by various railroads for elevation expenses of grain at points of trans-shipment, at rates not exceeding those fixed by the commission as reasonable, are not illegal discriminations or rebates when paid to owners of elevators on their own grain, although such owners performed services other than those paid for at the same time to their advantage. *Interstate Commerce Commission* v. *Peavey & Co.*, 222 U. S. 42. It was also held that where the carrier leases a terminal for public use from a shipper near that shipper's establishments, and also contracts with that same shipper for lighterage service of goods entering the terminal, it is not an unlawful discrimination, although similar contracts are not awarded to other shippers in the vicinity, and although that particular shipper is paid for lighterage services on its own goods. *U. S.* v. *B. & O. Ry.*, 231 U. S. 274. It is often difficult to determine what constitutes an unlawful discrimination, and each case must be decided more or less upon its own facts.

CONSTITUTIONAL LAW—DISCRIMINATION AGAINST LABOR UNIONS.—A statute in Ohio (Gen. Code, § 12943) made it a criminal offense for an employer to discharge or threaten to discharge an employe because of his connection with a labor union. In an action to punish the defendant for a violation of this statute, the defense was that the statute was unconstitutional as denying to the employer due process of law. *Held*, that the statute was unconstitutional. *Jackson* v. *Berger* (Ohio 1915), 110 N. E. 732.

The opinion of the majority in the above case was that it was controlled by the case of *Coppage* v. *Kansas*, 236 U. S. 1, L. R. A. 1915C, 960. This case is the first that has come before the courts since the *Coppage* case was decided, and revives the discussion as to whether that case was right. Two of the judges in the Ohio case, WANAMAKER and DONOHUE, dissented, basing their opinions on practically the same grounds as those advanced by JJ. DAY, HUGHES, and HOLMES, who dissented in the *Coppage* case. For a review of the *Coppage* case and a resume of the cases and of the general situation, see 13 MICH. LAW REV. 498.